

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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IN RE PORK ANTITRUST LITIGATION

No. 0:18-cv-01776-JRT-HB

This Document Relates To: All Actions

**DECLARATION OF JOHN A.  
KVINGE IN SUPPORT OF  
DEFENDANTS' JOINT MOTION  
TO DISMISS THE DIRECT  
PURCHASER PLAINTIFFS'  
COMPLAINT AND THE  
FEDERAL LAW CLAIMS IN THE  
INDIRECT PURCHASER  
PLAINTIFFS' COMPLAINTS FOR  
FAILURE TO STATE A CLAIM  
UPON WHICH RELIEF MAY BE  
GRANTED**  
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I, John A. Kvinge, declare as follows:

1. I am an attorney with the law firm Larkin Hoffman Daly & Lindgren, Ltd., which represents Defendant Smithfield Foods, Inc. in this matter.

2. Attached as **Exhibit A** is a true and correct copy of *New Pork Processing Plant Adds Second Shift in Sioux City*, authored by Tia Heidenbrecht and dated Feb. 17, 2017. This article was retrieved from <http://www.ktiv.com/story/34534148/2017/02/Friday/seaboardtriumph-foods-announces-plans-to-expand-pork-processing-plant-in-sioux-city> on August 20, 2018. The article is cited at Paragraph 130 of the Direct Purchaser Plaintiffs' First Amended and Consolidated Class Action Complaint.

3. Attached as **Exhibit B** is a true and correct copy of the Event Brief of Q1 2010 Smithfield Foods Earnings Conference Call dated Sept. 8, 2009. This document is

cited at Paragraph 117 of the Direct Purchaser Plaintiffs' First Amended and Consolidated Class Action Complaint.

**I declare under penalty of perjury of the laws of the United States that everything I have stated in this document is true and correct. Executed on October 23, 2018 in Hennepin County, Minnesota.**

/s/ John A. Kvinge  
John A. Kvinge